

11 RAJIV GOSAIN, et al.,
12 Plaintiffs,

13 v.
14 BERGQUIST WOOD MCINTOSH SETO,
15 LLP, et. al.,
16 Defendants.

Case No. 18-cv-06343-HSG (LB)

DISCOVERY ORDER

Re: ECF No. 179

17 The parties continue to dispute discovery issues that were addressed in the May 6 and May 27
18 discovery orders: (1) the lack of verified responses to the document requests; (2) the lack of
19 sufficient responses to the interrogatories; and (3) the parties' inability to schedule depositions.¹ The
20 plaintiff, Rajiv Gosain, has submitted a declaration describing his health problems, which have
21 apparently prevented the parties from scheduling the depositions.²

22 Regarding the parties' written discovery disputes, the court denies without prejudice the
23 defendant's request to compel further written discovery responses and orders the parties to comply

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26 ¹ Joint Letter Br. – ECF No. 179; Order – ECF No. 170; Order – ECF No. 176. Citations refer to
27 material in the Electronic Case File (ECF); pinpoint citations are to the ECF-generated page numbers
at the top of documents.

28 ² Joint Letter Br. – ECF No. 179 at 3; Gosain Decl., Ex. 6 to *id.* – ECF No. 179 at 61–63.

1 with the dispute procedures in the undersigned's standing order, which were provided with the
2 Notice of Discovery Procedures (ECF No. 92). The procedures require, among other things, that,

3 If the disagreement concerns specific discovery that a party has propounded, such
4 as interrogatories, requests for production of documents, or answers or objections
5 to such discovery, the parties must reproduce the question/request and the response
in full either in the letter or, if the page limits in the letter are not sufficient, in a
single joint exhibit.³

6 Concerning the depositions, the plaintiffs cite Mr. Gosain's health problems and the
7 defendants' failure to identify topics for the deposition of plaintiff Happy Valley Road.⁴ Mr.
8 Gosain's declaration also suggests that his deposition should be limited to two hours per day.⁵ In
9 an email attached to the parties' letter brief, the defendants suggest that the topics for the
10 deposition of plaintiff Happy Valley Road will be provided after Mr. Gosain's deposition.⁶

11 Within five days of this order, the plaintiff, Mr. Gosain, must provide the defendants
12 with (1) all dates on which he is available for a deposition in June and July 2022 and (2)
13 any proposed daily limit on the length of Mr. Gosain's deposition.

14 Given the health issues, the court does not impose sanctions at this time. But sanctions can be
15 imposed when a party does not comply with discovery obligations and the court again reminds the
16 parties of the relevant legal standards governing sanctions, which were stated in the court's May
17 27, 2022 Order.⁷

19 **IT IS SO ORDERED.**

20 Dated: June 17, 2022



21 LAUREL BEELER
United States Magistrate Judge

25 ³ Standing Order – ECF No. 92-1.

26 ⁴ Joint Letter Br. – ECF No. 179 at 3; Gosain Decl., Ex. 6 to *id.* – ECF No. 179 at 61–63.

27 ⁵ Gosain Decl., Ex. 6 to *id.* – ECF No. 179 at 61–63.

28 ⁶ June 9, 2021, 3:25 p.m. Email, Ex. 1 to *id.* – ECF No. 179 at 6.

⁷ Order – ECF No. 176.